

(SRI T. CHANNIAH.)

to audit the accounts of the District Boards regularly and we have been receiving reports periodically pointing out irregularities and defects in the administration. And the Government now and then have been giving instructions to the District Boards to see as far as possible that the District Board Funds are expended judiciously.

With regard to the point raised by Sri Lakkappa, namely, that the District Board Presidents have been incurring heavy expenditure in the shape of Travelling Allowance and Daily Allowance, Government have passed orders that they should not go beyond the limit prescribed, namely, 1,200 per annum, with reference to their Travelling Allowance.

Sri K. LAKKAPPA.—Have you passed any order to recover the excess spent?

Sri T. CHANNIAH.—Representations have been received from some District Board Presidents that they have exceeded the prescribed limit and they have also given convincing reasons to show that they had to undertake tours extensively. They have pointed out that they had to visit certain places to inspect and supervise the works undertaken by the District Boards and to see to their prompt and speedy execution. For such reasons the District Boards have incurred expenditure a little over and above the sanctioned amount. And Government having considered the urgency and necessity for such expenditure and the resolutions passed by some of the District Boards concerned, have sanctioned the same.

Sri L. SIDDAPPA (Channagiri).—In that case, please revise the Government Order which prescribes the Travelling Allowance limit.

Sri T. CHANNIAH.—Some of the District Board Presidents have limited the expenditure on account of Travelling Allowance and Daily Allowance to the prescribed amount. But there are some District Board Presidents who seem to take special interest, go to the work-spot and see personally to the prompt and speedy

execution of works in response to the request of the people of the area concerned. In such cases, after taking into consideration the attendant circumstances and the necessities of the situation, the Government have allowed the extra expenditure incurred.

My Hon'ble friend Sri Lakkappa said that the District Boards have drawn and spent amounts far in excess of the sanctioned amounts. Government are very strict in regard to this matter. We have taken objection in many cases and have told them that they should not have spent in excess of the sanctioned amounts. Circular instructions have been issued stressing this point. They have strictly conformed to these limits and it is in very few cases and for special reasons that extra expenditure has been incurred.

I may assure the Hon'ble members that Government have taken necessary steps to see that the administration of the District Boards, Municipalities and other local bodies are conducted strictly in conformity with the Acts, Rules and Standing Orders. The Local Self-Government Commissioner has been taking necessary action to supervise the working of the local bodies and to see that the expenditure is kept within the limit prescribed by Government. I request the Hon'ble Member kindly to withdraw his cut motion.

Sri K. LAKKAPPA.—I beg leave to withdraw the cut motion, Sir.

The cut motion was, by leave, withdrawn.

Mr. SPEAKER.—The next cut motion is in the name of Sri G. Puttaswamy. But it falls under 35A. It cannot be taken up under this demand.

The next cut motion stands in the name of Sri P. R. Ramaiya. He may move it.

Retirement of Officers due to revised age.

Sri P. R. RAMAIYA (Basavanagudi).—Sir, I beg to move:

“That the demand under the head ‘25. General Administration’

for Rs. 44,91,150 be reduced by Rs. 100 (to raise a debate on the question of retirement of officers due to revised age)."

Sir, at the very outset, I wish to make the object of my cut motion very clear. It has been brought to my notice that a few officers have suffered on account of retirement due to defective age. On this question a number of interpellations have been put in this House in the last Session of the Assembly and also in the present Session. Sir, I wish to make a reference to the question No. 295 put by Sri M. Rajasekhara Murthy on the 16th January. The question refers to the names and numbers of Gazetted Officers who were made to retire on the grounds of declaration of incorrect age, the number and names of Gazetted Officers whose age had been revised subsequent to their joining service resulting in extension of service, and the number and names of Gazetted Officers whose age was revised resulting in the reduction of age. That was the question. Sir, the Government have been pleased to reply that about 30 officers have been retired due to defect in age; and about 8 officers have had the benefit of having some more years of service to their credit, and about 185 officers have been retired due to reduction in the period of service. Sir, since the number of officers involved is very big, I wish to bring a few points to the consideration of the Government for reconsideration of this question in a sympathetic manner.

Sir, in these matters of age, in this country where there is no perfect system of registration of age at the time of birth as obtains in advanced western countries, we have to make some allowance for deficiencies in age or discrepancies in age. In this country, a person cannot show with sufficient correctness what his own age is unless he refers the matter to his elders. Nobody can say with definiteness without referring to elders—father, or brother or somebody else—what his own age is. There is nothing like baptismal register in this country where a child's age can be recorded

with certainty. Therefore, Sir, due to this initial disadvantage that obtains in this country, a certain amount of leniency and consideration is required when we consider the question of the officers who are to be retired for some alleged discrepancy in age. Sir, I do not know for what reason and when this idea came into the head of our Government that they should look into the age of their officers and officials. I do not know the origin of the genesis of this question. As far as I learn, there does not seem to be a uniform treatment in this matter. It is curious, Sir, that in the case of officers and high personages whose names I do not want to mention in this House there has been a discrepancy in age, but yet the age which is most favourable to that high personage has been accepted by Government. In the case of some unfortunates who have not been able to plead their case effectively or in a way to bring conviction to the mind of the Government, some hardship has happened.

4 P.M.

Sir, on the 15th of this month I had tabled a question, No. 217, which I was not able to put in this House on account of my absence at that time. However, there is the printed reply furnished by Government. Here there are seven names of officers and I do not propose to repeat those names and take the time of the House. But, however, it looks as though in the case of one officer, that particular officer feels that injustice has been done to him. I understand he had made representations to Government and seen some of the Ministers in this matter. I am given to understand, Sir, that in the case of some of these officers there has been some discrepancy of age and the Government have been pleased to overlook this discrepancy and give benefit of doubt in their cases. I wish the same consideration would be extended in the case of this one particular officer who has lost nearly two years of service and is deprived of nearly five thousand rupees of his hard earning. This is a matter where this officer stands entirely on a far lower level than the Government;

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he is an Assistant Secretary and his level stands no comparison with that of the Government or other officers. Sir, this particular Assistant Secretary is a very humble person and his case should be considered rather very sympathetically. Considering that he has put in such a large number of years of service and that he is losing nearly five thousand rupees and losing two years of service, on his behalf I appeal to Government that this case should be considered very sympathetically. Sir, these cases have not been considered uniformly. The Government themselves have said that each case will be considered on its merits. So, there has not been any uniform policy adopted and Government are well aware of the case of this particular officer. There is another matter, Sir, which I would like to bring to the notice of the Government. There is a mention made about rule 45 of the annexure to Mysore Financial Code, Volume I. That rule is clear, Sir.

“45 (c) Once the date of birth has been accepted and recorded in the service register, it should form conclusive evidence of the same in respect of all future Government transactions.”

In reply to my question No. 217 (b) whether the policy followed by Government has been followed uniformly in respect of all Gazetted Officers in dealing with their dates of birth after 1st April 1950, the answer is, ‘please see rule 45 of the annexure to Mysore Financial Code, Vol. I.’ Here, the rule is very definite, Sir. When once the date of birth has been accepted and recorded in the service register, it should form conclusive evidence of the same in respect of all future Government transactions. I do not know how Government can act upon the revised age and whether officers of Government will not be handicapped. They are all servants of Government and have furnished the information about their age. They are all obedient servants and they cannot act independently; naturally they have furnished the date. But, Government

will have to observe a particular code and that code is, as I have mentioned, rule 45 of the Financial Code. When once a person enters Government service, when once his age has been accepted, I do not see how Government can compel the officer to give a revised age or any such thing. Of course, so many officers have come out with their revised dates because they cannot help it, they are the most obedient servants of Government, and naturally they cannot revolt, they cannot protest. But the Government cannot alter their own codes, sir. Therefore, it requires consultation with legal authorities. I do not know if they consulted the Law Department when they retired so many officers. The present Government is a Congress Government which stands for truth, fairness and justice and they should not penalise so many officers. Because they cannot argue their own cases we cannot brush them aside. I know the Congress Government have done justice to the down-trodden people and these people are also down-trodden and therefore in their case we must be very merciful and humane and their cases must be considered keeping in mind that the Congress stands for truth, fairplay and justice. I want all these cases to be considered sympathetically. I have not brought this cut motion with a view to find fault with Government, but what I have considered reasonable I have put it before the Government.

MR. SPEAKER.—Cut motion moved :

“That the demand be reduced by Rs. 100.”

ಶ್ರೀ ಬಿ. ಹುಚ್ಚೇಗೌಡ (ತುರುವೇಕೆರೆ).—ಸ್ವಾಮಿ, ಈ ವಿಚಾರದಲ್ಲಿ ನಾನು ಒಂದೆರಡು ಅಂಶಗಳನ್ನು ಹೇಳಬೇಕೆಂದಿದ್ದೇನೆ. ಸರ್ಕಾರದವರು ಅವರಿಗೆ ತಕ್ಕಂಥ ಅಧಿಕಾರದ ಪ್ರಕಾರ ಪಬ್ಲಿಕ್ ಸರ್ವೆಂಟ್ಸ್ ಒಂದು ಡಿಕ್ಲೇರೇಷನ್ ಕೊಡಬೇಕಾದರೆ ಸರಿಯಾಗಿ ಕೊಡಬೇಕೆಂದು ಹೇಳಿ ಒಂದು ತೀರ್ಮಾನಕ್ಕೆ ಬಂದಿರುವುದನ್ನು ಪ್ರತಿಭಟಿಸಬೇಕಾಗಿದೆ. ಶ್ರೀಮಾನ್ ರಾಮಯ್ಯ ನವರು ತಂದಿರುವ ವಿಚಾರದಲ್ಲಿ ಮಾತನಾಡುತ್ತಾ ಸರ್ಕಾರದವರು ಈ ವಿಚಾರದಲ್ಲಿ ಮಾಡಿರುವ ನಿರ್ಧಾರವನ್ನು ನಿಂದಿಸುವುದಕ್ಕಾಗಿ ಈಗ ನಿಂತಿದ್ದೇನೆ. ಮಾನ್ಯ ಮಿತ್ರರು ಲೇಗಲ್ ಒಪಿನಿಯನ್ ಪಡೆಯಬೇಕೆಂದು ಹೇಳಿದರು. ಅದಕ್ಕೆ ನಾನು ಪ್ರವೇಶ ಮಾಡುವುದಿಲ್ಲ, ಅದು ಬೇರೆ. ಅವರು ಅನೇಕ ಅಂಶ ಅಂಶಗಳನ್ನು ಸರ್ಕಾರಕ್ಕೆ ತಿಳಿಸಿದ್ದಾರೆ. ನವ್ಯಶ್ರೀ

ಮಾಡಬೇಕಾದರೆ ಒಂದೇ ದೃಷ್ಟಿಯಿಂದ, ಒಂದು ಯೂನಿಫಾರಂ ಪಾಲಿಸಿಯಲ್ಲದೆ ಮಾಡುವುದು ಸರಿಯಲ್ಲ. ಎಲ್ಲಾ ಕೇಸುಗಳಿಗೂ ಒಂದೇ ವಿಧವಾದ ನೀತಿಯನ್ನು ನುಸರಿಸದೆ, ಕೆಲವರ ಕೇಸುಗಳನ್ನು ಒಂದು ತೀರ್ಮಾನಕ್ಕೆ ಬಂದು ಇತ್ಯರ್ಥ ಮಾಡಿದ್ದು ದನ್ನು ಎಫೆಕ್ಟಿಗೆ ಕೊಡದೆ ಪೇಪರ್‌ನಿಗೆ ತೊಂದರೆಮಾಗುತ್ತದೆ ಎಂದು ಹೇಳಿದಾಗ ರಿವೈಜ್ ಮಾಡಿದ್ದಾರೆ. ಇನ್ನು ಕೆಲವರ ಕೇಸುಗಳಲ್ಲಿ 'each case is considered on its merits' ಎಂದು ಹೇಳಿರುವ ಹಾಗೆ, ಅಭಿಮಾನ ಎಚ್ಚು 31 ವರ್ಷ ಕೆಲವರಿಗೆ condone ಮಾಡಿದ್ದಾರೆ. ನಿಜವಾದ ರುಜುವಾತು ಕೊಟ್ಟರೆ ಒಪ್ಪಿಕೊಳ್ಳಬಹುದು. ಸರ್ಕಾರಿ ಅಧಿಕಾರಿಗಳೆಲ್ಲರನ್ನೂ ಒಂದೇ ದೃಷ್ಟಿಯಿಂದ ನೋಡಬೇಕಾದದ್ದು ಸರ್ಕಾರದ ಕರ್ತವ್ಯ. ಎಷ್ಟು ಜನ ನೌಕರರಿದ್ದಾರೆ ಅದರಲ್ಲೂ ಸರ್ಕಾರದವರೇ ಹೀಗಿರುವಾಗ ಎಲ್ಲರಿಗೂ ಸರ್ಕಾರದವರು ಒಂದೇ ದೃಷ್ಟಿಯಿಂದ ಒಂದೇ ಸಮಾನಾಗಿ ಅಭಿಮಾನ ತೋರಿಸಿ ತಕ್ಕಂತೆ ಅವರ ಕೇಸನ್ನು ಏಕೆ ಫೈನಲು ಮಾಡಬೇಕು? ಒಬ್ಬರಿಗೆ ತೋರಿಸಿರುವ ರಿಯಾಯಿತಿ ಯನ್ನು ಇನ್ನೊಬ್ಬರಿಗೇಕೆ ತೋರಿಸಬಾರದು? ಒಬ್ಬರಿಗೆ ಒಂದು ನೀತಿ, ಇನ್ನೊಬ್ಬರಿಗೊಂದು ನೀತಿ, ಒಬ್ಬರಿಗೆ ಕೊಡುವುದು ಇನ್ನೊಬ್ಬರಿಗೆ ಬಿಡುವುದು—ಹೀಗೇಕೆ ಮಾಡಬೇಕೆಂದು ಪ್ರಶ್ನೆ ಮಾಡಬೇಕಾಗಿದೆ. ಶ್ರೀಮಾನ್ ರಾಮಯ್ಯನವರು ಇಷ್ಟೇಲ್ಲಾ ಹೇಳಿದರು, ಇಷ್ಟು ಜನರಲ್ಲಿ ಒಬ್ಬರಿಗೆ ರಿಯಾಯಿತಿ ತೋರಿಸಿದರೆ ಸಾಕು ಎಂದು ಹೇಳಿದರು. ಎಷ್ಟೋ ಜನ ಆ ರೀತಿಯಿರುವಾಗ ಅವರು ಒಬ್ಬರ ವಿಚಾರ ಮಾತ್ರ ಕೇಳುತ್ತಿದ್ದಾರೆ.

ಶ್ರೀ ಪಿ. ಆರ್. ರಾಮಯ್ಯ.—ಉದಾಹರಣೆ ಹೇಳಿದೆ.

ಶ್ರೀ ಬಿ. ಹುಚ್ಚೇಗೌಡ.—ಸರ್ಕಾರದವರು ತಮ್ಮ ಅಧಿಕಾರಿಗಳನ್ನೆಲ್ಲಾ ಒಂದೇ ದೃಷ್ಟಿಯಿಂದ ನೋಡಬೇಕು. ತಮ್ಮ ಹತ್ತಿರವಿರುವವರಿಗೊಂದು ಮತ್ತೊಬ್ಬರಿಗೆ ಇನ್ನೊಂದು ಮಾಡಬಾರದು. ಕೆಲವು ವಿಚಾರದಲ್ಲಿ ತಕರಾರು ಬಂದಿದೆ. ಅದಕ್ಕೆ ತಕ್ಕ ಸಮಜಾಯಿಷಿ ಕೊಟ್ಟರೆ ಸರಿ. ಈ ಸಭೆಯಲ್ಲಿ ಈ ವಿಚಾರ ಬರುತ್ತಿರುವುದು ಹೊಸದೇನೂ ಅಲ್ಲ. ಸುಮಾರು 10-12 ಸಲ ಬಂದಿದೆಯೆಂದು ಕಾಣುತ್ತದೆ. ಶ್ರೀಮಾನ್ ಇಮಾಂಧವರು ಅನೇಕ ಉಪಯುಕ್ತ ಸಲಹೆ ಹೇಳಿದ್ದಾರೆ. ಈ ವಿಚಾರ ಬಹಳ ವಿಷಾದಕರವಾದ ಸಂಗತಿ. ಪಬ್ಲಿಕ್ ಸರ್ವೆಂಟ್ಸ್ ಮೋರಲ್ ಕಟ್ಟು ಹೋಗಿದೆ; ಇದನ್ನು ನರಿಪಡಿಸಬೇಕು. ತಮಗೆ ಎಷ್ಟು ತೊಂದರೆಯಾದರೂ ಆಗಲಿ, ಸರ್ಕಾರದ ಮೆಟ್ಟಿಗೆ ಪಡೆದರೆ ಸಾಕು ಎಂಬ ಅಭಿಪ್ರಾಯದಿಂದ ಕೆಲವರು ಕೆಲಸ ಮಾಡುತ್ತಿದ್ದಾರೆ. ಇದರಿಂದ ಬಹಳ ಮಟ್ಟಿಗೆ ದೇಶಕ್ಕೆ ಕಷ್ಟವಾಗುತ್ತದೆ; ಬಂಡಿತ ಹಾಗೆ ಮಾಡಬಾರದು. ಯಾವ ವಿಚಾರದಲ್ಲೇ ಆಗಲಿ ಎಲ್ಲರಿಗೂ ಒಂದೇ ರೀತಿ ಮಾಡಬೇಕು. ಕೆಲವರ ವಿಷಯದಲ್ಲಿ ಕಂಡೋಕ್ಷ ಮಾಡುವುದು ಮತ್ತೆ ಕೆಲವರಿಗೆ ಮಾಡದೆ ಬಿಡುವುದು ಸರಿಯಲ್ಲ. ಕೆಲವರ ವಿಚಾರದಲ್ಲಿ ಕಾಲೇಜಿನಲ್ಲಿ ಕೊಟ್ಟಿರುವ ತಾರೀಖನ್ನು ಗಣನೆಗೆ ತೆಗೆದುಕೊಳ್ಳುವುದು ಇನ್ನು ಕೆಲವರ ವಿಚಾರದಲ್ಲಿ ಬೇರೆ ತಾರೀಖನ್ನು ಒಪ್ಪಿಕೊಳ್ಳುವುದು ಸೂಕ್ತವಲ್ಲ. ಒಬ್ಬೊಬ್ಬರಿಗೆ ಒಂದೊಂದು ರೀತಿ ಮಾಡಿರುವುದು ತುಂಬ ಅನ್ಯಾಯ, ನಿಂದನೀಯವಾದುದು ಎಂದು ಇಷ್ಟು ಮಾತನ್ನು ಹೇಳುತ್ತೇನೆ.

ಶ್ರೀ ವಿ. ವೆಂಕಟಪ್ಪ (ಚನ್ನಪಟ್ಟಣ).—ಈ ವಿಚಾರದಲ್ಲಿ ಶ್ರೀ ಪಿ. ಆರ್. ರಾಮಯ್ಯನವರು ಹೇಳಿರತಕ್ಕ ಅಂಶದಲ್ಲಿ ಸ್ವಲ್ಪಮಟ್ಟಿಗೆ ಸತ್ಯಾಂಶವಿದೆ. Register

of Births and Deaths ನಮ್ಮಲ್ಲಿ ಸರಿಯಾದ ವ್ಯವಸ್ಥೆಯಿಲ್ಲ. ಅದರಲ್ಲಿಯೂ ಹಳ್ಳಿಗಳಲ್ಲಿ ಎಂತಹ ಮನೆಯಲ್ಲಾದರೂ ಸಹ ಹುಟ್ಟಿದ ತಾರೀಖನ್ನು ಕಂಡು ಹಿಡಿಯುವುದು ಬಹಳ ಕಷ್ಟ. ಈ ದಿನವೂ ನನಗೂ ಶ್ರೀ ಎಚ್. ಕೆ. ವಿರೇಣ್ಣಗೌಡರಿಗೂ ನಾನು ಹಿರಿಯ ವನೋ ಅವರು ಹಿರಿಯವರೋ ಎಂಬ ವಿಚಾರದಲ್ಲಿ ವಿವಾದವಿದ್ದೇ ಇದೆ. ಅವರ ತಾಯಿಯವರು ಶ್ರೀ ವಿರೇಣ್ಣಗೌಡರು ನನಗಿಂತಲೂ ಆರು ತಿಂಗಳು ಹಿರಿಯವರು ಎಂದು ಹೇಳುತ್ತಿದ್ದರು ಎಂದು ಅವರೇ ನನಗೆ ತಿಳಿಸಿದ್ದಾರೆ. ಹೀಗೆ ಹುಟ್ಟಿದ ತಾರೀಖನ್ನು ಸರಿಯಾಗಿ ಹೇಳುವುದು ಕಷ್ಟ. ಸ್ಕೂಲಿಗೆ ಸೇರುವಾಗ ಯಾರೋ ಕರೆದುಕೊಂಡು ಹೋಗಿ ಸೇರಿಸುತ್ತಾರೆ. ಹಳ್ಳಿಯ ಕಡೆ ಹುಡುಗರನ್ನು ಸ್ಕೂಲಿಗೆ ಸೇರಿಸುವಾಗ ತಂದೆತಾಯಿಗಳು ಮಕ್ಕಳು ಹುಟ್ಟಿದ ತಾರೀಖನ್ನು ಹೇಳಲು ಸಾಧ್ಯವಿಲ್ಲದುದರಿಂದ ಸುಮಾರು 5-6 ವರ್ಷಗಳಿರಬಹುದೆಂದು ಹೇಳುತ್ತಾರೆ. ಆ ಹುಡುಗನು ಎಸ್.ಎಸ್.ಎಲ್.ಸಿ.ಗೆ ಬರುವ ಹೊತ್ತಿಗೆ ಸ್ವಲ್ಪ ಜ್ಞಾನ ಬಂದಿರುತ್ತದೆ. ವಿಚಾರಿಸಿ, ಆಗ ಒಂದು ತಾರೀಖು ಕೊಡುತ್ತಾನೆ. ಹೀಗಾಗಿ ಈ ಹುಟ್ಟಿದ ತಾರೀಖಿನ ವಿಚಾರದಲ್ಲಿ ಸ್ವಲ್ಪ ವ್ಯತ್ಯಾಸ ಬರುತ್ತದೆ. ಕೆಲವರು ಉದ್ದೇಶಪೂರ್ವಕವಾಗಿ ತಮ್ಮ ಸರ್ವಿಸ್ ಹೆಚ್ಚಿಸಿಕೊಳ್ಳಬೇಕೆಂದು ಹುಟ್ಟಿದ ತಾರೀಖು ಹೆಚ್ಚು ಕಡಮೆ ಕೊಟ್ಟಿದ್ದರೆ ಅಂಥವರ ವಿಚಾರದಲ್ಲಿ ಕಾರ್ಯಕ್ರಮ ಕೈಗೊಳ್ಳಬಾರದೆಂಬುದು ನನ್ನ ಉದ್ದೇಶವಲ್ಲ. ಹುಟ್ಟಿದ ತಾರೀಖು ಸರಿಯಾಗಿ ಗೊತ್ತಿಲ್ಲದೆ ಈ ವಿಚಾರದಲ್ಲಿ ವ್ಯತ್ಯಾಸವಾಗಿರುವುದು ಸ್ವಾಭಾವಿಕ ಎಂದು ಮಾತ್ರ ತಿಳಿಸುತ್ತೇನೆ. ಇಂಥ ವಿಚಾರದಲ್ಲಿ ವ್ಯತ್ಯಾಸವಾಗಿರುವುದಕ್ಕೆ ಕಾರಣಗಳನ್ನೊದಗಿಸಿದ ಸಂದರ್ಭದಲ್ಲಿ ಅವನ್ನು ಸರಿಗಣಿಸಿ ತೀರ್ಮಾನಕ್ಕೆ ಬರುವುದು ನ್ಯಾಯವಾದುದು. ಇದಕ್ಕೊಂದು ಕಾಲಪರಿಮಿತಿ ಇರಬೇಕಾದುದು ಸೂಕ್ತ. ಇದರ ವಿಚಾರದಲ್ಲಿ ವರ್ಷಗಟ್ಟಲೆ ತೀರ್ಮಾನಕ್ಕೆ ಬರದೇ ಈ ವಿಚಾರವನ್ನು ಹಾಗೆಯೇ ಇಟ್ಟುಕೊಂಡಿದ್ದು ಸರ್ಕಾರದವರು ಇದನ್ನು ಯಾವಾಗಬೇಕಾದರೂ ತಮಗೆ ತೋರಿಬಂದ ರೀತಿಯಲ್ಲಿ ಉಪಯೋಗಿಸಿಕೊಳ್ಳುತ್ತಾರೆ ಎಂಬ ಅನುಮಾನಕ್ಕೆ ಅವಕಾಶವಿರಬಾರದು. ಈ ವಿಚಾರದಲ್ಲಿ ಪ್ರತಿಯೊಂದು ಇಲಾಖೆಯಿಂದಲೂ ಅಂಕಿಅಂಶಗಳನ್ನು ತರಿಸಿಕೊಂಡು ಒಂದು ನಿರ್ದಿಷ್ಟಕಾಲ ಪರಿಮಿತಿ ಗೊತ್ತುಮಾಡಿ ಆ ಕಾಲದೊಳಗಾಗಿ ಇದನ್ನು ಇತ್ಯರ್ಥ ಪಡಿಸಬೇಕು. ಇದರಿಂದ ಯಾರಿಗೂ ಯಾವ ರೀತಿಯಲ್ಲಿಯೂ ಅನ್ಯಾಯವಾಗಲು, ಅನುಮಾನಕ್ಕೆ ಆಸ್ಪದವಾಗಲು ಅವಕಾಶವಿರಬಾರದೆಂದು ತಿಳಿಸುತ್ತೇನೆ.

ಶ್ರೀ ಸಿ. ಟಿ. ಹನುಮಂತಯ್ಯ (ಪಾವಗಡ-ಅನು ಸೂಚಿತ ಜಾತಿಗಳು).—ಶ್ರೀ ಪಿ. ಆರ್. ರಾಮಯ್ಯನವರು ತಂದಿರತಕ್ಕ ಈ ಖೋತಾ ಸೂಚನೆಯನ್ನು ಅನುಮೋದಿಸುತ್ತಾ ಕೆಲವು ವಿಚಾರವನ್ನು ಮಾತ್ರ ಹೇಳುತ್ತೇನೆ. ಒಂದು ಮಗು ಗ್ರಾಮದಲ್ಲಿ ಹುಟ್ಟಿದ ಕೂಡಲೇ ಆ ವಿಚಾರ ಆ ಗ್ರಾಮದ ಪಟ್ಟಣದವರಿಗೆ ಗೊತ್ತಾದಾಗ ದಾಖಲು ಮಾಡಿಕೊಳ್ಳುತ್ತಾನೆ. ಅನಂತರ ಅದನ್ನು ತಾಲ್ಲೂಕು ಕಛೇರಿಗೆ ದಾಖಲೆಗೆ ಕಳುಹಿಸುತ್ತಾನೆ. ಹಳ್ಳಿಗಳಲ್ಲಿ ಅನೇಕರು ವಿದ್ಯಾ ವಂತರಿರುವುದಿಲ್ಲ. ಈ ಕಾರಣದಿಂದ ಹುಟ್ಟಿದ ಮಕ್ಕಳ ಜಾತಕವನ್ನು ತಯಾರಿಸಿರುವುದಿಲ್ಲ. ಹುಡುಗರನ್ನು ಸ್ಕೂಲಿಗೆ ಸೇರಿಸುವಾಗ ಅಂದಾಜಿನ ಮೇಲೆ ಹುಟ್ಟಿದ ತಾರೀಖನ್ನು ಕೊಟ್ಟಿರುತ್ತಾರೆ. ಅನಂತರ ಕಾಲೇಜಿಗೆ ಹೋಗುವ ವೇಳೆಗೆ ಜಾತಕ ಕೇಳಿದರೆ, ಜಾತಕವಿಲ್ಲ ಸ್ಕೂಲಿನಲ್ಲಿ ಕೊಟ್ಟಿರುವ ತಾರೀಖನ್ನೇ ಹಾಕಿಕೊಳ್ಳಿ

(ಶ್ರೀ ಸಿ. ಟಿ. ಹನುಮಂತಯ್ಯ.)

ಎಂದು ಹೇಳಬಹುದು. ಆದರೆ ಸ್ಕೂಲಿನಲ್ಲಿ ಕೊಟ್ಟಿರುವ ತಾರೀಖು ಸರ್ವಿಷ್ ಆಗಿಲ್ಲವೆಂದು ಹೇಳುತ್ತಾರೆ. ಹೀಗಾಗಿ ಕೆಲವರಿಗೆ ಸರ್ವಿಷ್‌ನಲ್ಲಿ ತೊಂದರೆಯುಂಟಾಗಿದೆ. ಈ ಬಗ್ಗೆ ಒಂದು ನಿರ್ದಿಷ್ಟವಾದ ನೀತಿಯನ್ನು ನುಸರಿಸಿ ಇವುಗಳನ್ನು ಸರಿಪಡಿಸಬೇಕೆಂದು ತಿಳಿಸಿ ಈ ಖೋತಾ ಸೂಚನೆಯನ್ನು ಸಮರ್ಥಿಸುತ್ತೇನೆ.

Sri A. BHEEMAPPA NAIK (Molakalmuru).—Sir, I wish to make a few observations in this connection. In the Birth Register, it is entered more often than not as 'ಗಂಡು ಮಗು' or 'ಹೆಣ್ಣು ಮಗು.' These are the two words written there. They do not mention even the names; because no scrutiny is done at any time. Either the Patel or the Shanbhogue may not have information about the name of the child. So it would be very dangerous to depend upon the Birth Register even. Because it might be a second child or it might be a fourth child which is dead and gone and some male child is mentioned. Therefore it would be dangerous to depend upon that register.

Again, take the school register. Even there no parent goes to the schoolmaster with a Jatakam or Birth Register extract and gets the date entered there. Usually, more often than not, it is the teacher who looks at the boy and puts some age. Naturally it may not tally with the entry in the Birth Register.

Later on, when the boy enters into service, he gives a declaration and you get it entered in the service register and you accept that age. After that, at the time of retirement, you begin to question whether it was wrong age given in the primary school or in the Birth Register? What right have you to question that? I want to ask you. Why did you accept that when he entered the service? If really there is a mistake, it is the person who accepted the age given that should be punished and not the person who really has declared that. Therefore it would be anomalous and it would be a weapon in the hands of the executive to punish a person who is not to their liking. That would not be correct. We would not like to give such a weapon in the hands of the executive. They might say it is the ministers that do it. But the ministers do not automatically take it up; it is only on the

recommendation of the subordinate executive that they take it up. Therefore, when once you accept this entry, so long as the Births and Deaths Registers are not properly maintained, what is accepted must be final. I have not seen the Births Register being maintained. Even patels will not have been intimated of the births. For that matter, if an enquiry is instituted, you will find, if the population of the children of a village is 500, all the names of 500 children born there from time to time have not been entered in any of the Births and Deaths Registers. Even when people for insurance purposes or some other purpose apply for an extract from the Births Register, their names are not to be found in those registers. Does it mean thereby that the boy was not born? It only means that the system is defective. Therefore, depending on a defective system, to punish a person would not be proper. On the other hand, if you want to depend upon the entries in the Births and Deaths Register, make the machinery most effective. Then take this up. But standing as we are, when the machinery is most defective, when the system of registration is most defective, how can you insist that in primary and other schools the Birth and Death Register extract alone should be entered in the registers maintained in those schools? That you should not do. Simply instead of 'ಹುಟ್ಟಿದ ತಾರೀಖು' it is entered as 'ವಯಸ್ಸು'. Is that sufficient? Who is responsible for that? Even supposing there is an entry. There is a boy five years old; can you hold him responsible at that time? It is the parent. Punish the parent for having given a wrong age. It is not correct considered from any point of view that the minor should be asked to answer for what has been done. He cannot be asked to answer what has been done until he attains the majority. When he attains the majority, and when he joins the service, he has given some declaration which must be considered as final. Let us leave it there. Now when we take up this question, the question that has to come hereafter

will also arise. Therefore, we must make the system perfectly correct. Otherwise, these anomalies continue. Therefore I request the Chief Minister particularly, to see that these cases are treated very very generously. In view of the fact that these anomalies, as I mentioned before, are there, it would only be proper that these cases must receive the most generous consideration at the hands of the Ministers.

Sri B. HUTCHE GOWDA.—You want revision of the orders passed already?

Sri A. BHEEMAPPA NAIK.—No. There have been some anomalies which have happened. If there are cases recently, if there are appeals made for revision, in those cases generous treatment must be given. If cases have been disposed of already long back, it would be difficult for even the Ministry to do anything. But if there are really appeals pending, if there are such cases, they must be treated very generously. That is my appeal to the Ministry.

Sri K. PATTABHIRAMAN (Kolar).—I would like to offer some remarks on the cut motion. There is no doubt, Sir, that the question raised is of very great importance and I consider it so from two particular angles as it were. One is, the question that was really implicit here, i.e., one of administration. I should rather think that no doubt the Government must have the power and the right to call for such particulars as regards all their employees at a proper stage to know definitely their accurate ages. No doubt I grant them this right. But the way in which that right is exercised and that stage at which it is exercised, are matters which have got some bearing not only on the career of the individual concerned but also even more on the stability and the security of the administrative services themselves. One thing I have been able to follow from the trend of the discussion here is that it is only in Mysore this particular question has assumed some importance, particularly with reference to certain individuals who have been subject to this kind of treatment. A suspicion has already been aroused, I would even call it a vague rumour, that there is some amount of discrimination.

I ask the Government and I appeal to the Chief Minister particularly to consider this in a somewhat dispassionate manner. In our country, as has been very rightly emphasised by several members before, we have not got that statistical sense, particularly in rural parts. Such statistical evidence to prove definitely the ages of births and deaths we have not got here in the same way as in the western countries. There are so many ways to verify the date. There is the Parish Register, there is the Birth Register, etc., which have been kept up regularly for at least two or three centuries now whereby we can easily make out the age of a particular child as the entry is made immediately after it is born. We have yet to reach that stage. In fact it is our discomfiture that we do not have such statistical sense and records complete. In such cases, I ask the Government: should there not be that large-heartedness and that latitude which it is necessarily incumbent on them to have in considering cases of this kind? After all the person entering the service is not responsible, as has been rightly emphasised by the Hon'ble Member Sri P. R. Ramaiya. It is the parent that is responsible for the information. It is an elderly member of the family that is responsible. Therefore considering that the evidence of age would not obviously be expected to be fool-proof, and that no enquiry could be so satisfactory in such cases, considering the fact that in its very nature it admits of some amount of discomfiture, some amount of discrepancy, Government must have large-heartedness to consider these cases.

4-30 P.M.

And what is more, what distresses me is this uncertainty that is born out of it. Here is a person who has entered the services and given his date of birth. Should there not be a definite stage when this question ought to be settled once and for all? That is very important. Unless that is done, you cannot bring about contentment and satisfaction in the services, particularly in the case of judicial officers. If it is open to you at any stage to look back to the

(SRI K. PATTABHIRAMAN.)

Register and find out whether he is 45 or 55 years of age. If that is the uncertain state of affairs, the impartiality and integrity of judiciary which is the most important aspect of our Constitution will be rendered very much illusory and shaky if they should feel that you can at any stage call for such records. Therefore, I am making a humble suggestion. If it should be considered necessary to look into these things, Government may, within a fixed period of time, make a check up or they may take proper care at the time of the person entering into service. But once he is admitted into the service on the basis of age that is accepted, there should be no going back and Government should not make a fetish of these things. I want to appeal to the Hon'ble the Chief Minister in this connection with a concrete suggestion that it must be open to a person who enters Government service to say that his age has been satisfactorily accepted. For instance take the case of an insurance policy. When a person insures his life, he has also to give satisfactory proof of his correct age and once that age is accepted by the Insurance Company, the question of age is generally not re-opened at all, whatever may be the considerations that may supervene. Even in the case of Government service such a procedure can very well be followed and it seems to be important, Sir, that it must be followed.

There is another aspect of the matter to which I would like to draw attention. It would be very embarrassing to the Government itself even more than to the individual concerned. In the interest of the Government itself, I should rather consider they should hesitate to accept this embarrassment that it should be open to them to say that in one case they accept a particular age as satisfactory evidence, and in another case that it is not satisfactory in relation to the same or similar kind of evidence that may be placed before them. In such a case, I feel it would be greatly embarrassing to Government. I should rather think, Sir, if I was in such a position, I would certainly not

countenance this kind of an embarrassment which would also engender a certain amount of suspicion in the minds of services and lead to a lot of discontent. Therefore, I ask in the interest of the administrative services and in the interest of the Government, that we should not make a fetish of this small thing. We have been finding that for the last one and half years, almost in every session of this House, this question is coming up before us in some form or other. Interpellations have been answered and this is a matter which is always brought up like the saying 'keep the powder dry'; the magazine is always there. I therefore make an appeal to the Chief Minister that at least now, let there be a clear policy statement as a result of this cut motion. Let him say once for all what the policy of the Government would be in order to allay any suspicion and fear on the part of the services whether gazetted or non-gazetted; throughout the services, it shall be assured to them that for about six months from now—let us keep a time limit—that within six months in respect of all employees in the service of the Government, they will have to submit their evidence of age for scrutiny by Government if needed and once that stage is reached thereafter they are to be guaranteed that that age as is accepted is admitted once and for all so that at no stage whatever thereafter—should it be open to the Government to look back or reconsider their position. That kind of security and that kind of confidence must be assured; otherwise, the administrative services in Mysore who have already many other difficulties will be hit hard. You know what questions are agitating the minds of the services at the present moment. In fact I should rather think that if this kind of discontent spreads in the services all round and if there should be this Democles Sword always hanging upon their heads, I think in the interest of the administrative services of the State, it would not be a state of affairs which anybody can look upon with equanimity. Therefore, I take it that the Government may even now make a policy statement once for all so as to

assure not only the Members of this Hon'ble House, but more than that, the administrative services in the State as a whole. This question, if I may say so, Sir, with your kind permission, is a knotty question and may I be permitted to say a vexed question also and a very disturbing factor and I suggest that once for all let it be said that this and this alone is the policy of the Government in respect of all concerned; if personal considerations are allowed to prevail, Sir, invidious distinctions may become possible. I say this without meaning any disrespect to any one. In fact, I would like you to look at this question from the angle of view of French Law. In the French Law it is stated that it is not merely enough if you are just, but you must show that you are just and people must have confidence that you are just. This is the standard by which I want this Government to be judged. If in the minds of the bulk of the services this uncertainty crops up in the matter of getting a fair deal, I must say that it will shake the very foundations of the administrative services and will create a sort of disturbed state of mind and if confidence should be restored in the minds of the administrative services, I appeal to the Chief Minister once again to make the position clear by a timely statement. All I would say is, if it is considered necessary to probe into the dates of birth of their officers, even assuming that the Government have the final authority in these matters, I am suggesting that this may be done subject to this one supreme and paramount consideration, namely, that the sense of security of the administrative services is not impaired and that everybody concerned must be able to feel safe and their future must be sufficiently clear. It is only then that we can really expect these administrative services to discharge their duty to the public. Therefore I appeal to the Chief Minister to make a special policy statement so that this fetish of age will be ended once for all. With these words, I wholeheartedly support the cut motion.

*Sri K. HANUMANTHAIYA (Chief Minister).—Sir, the House will pardon

me if I say that the first principles or the fundamentals are known to everybody and it is not necessary now at this stage of our progress to repeat this to Hon'ble Members. I may also say that my Hon'ble friend Sri B. Hutche Gowda many a time does not know how to use words and he has used words which carry quite a different meaning from the one he intends. Whenever he gets up, he makes nothing but accusations of partiality, favouritism and all the words that are found in the Dictionary, with the result that I have to take as a matter of course that these words have become customary with him,

Sir, turning to the administrative reality, the Government took a decision as far back as 18th March 1950. The Government Order reads as follows :

“ I am directed to state that it has come to the notice of the Government that the date of birth entered in the Civil List on the basis of information furnished by officers is incorrect in a number of cases, and does not tally with that given at the time of admission to schools and colleges, etc. Heads of Departments are requested to take immediate action to get fresh declarations of date of birth from all officers under their control...”

And so on it goes. It gives details of what evidence to be taken and what not. Therefore, Sir, whether this Ministry or the previous Ministry, it does not much matter, when once the decision was taken it is being implemented for the last three and odd years. Whenever evidence is collected, it is subject to scrutiny. I have once explained to this House that horoscope, dates of birth given in various schools and colleges in which they studied and the declaration made and entered in the Civil List, all these dates are taken into consideration, and the most probable date is being fixed. In the very nature of things the principle applied is uniform, namely, the most probable date of birth. But the date of birth varies and therefore there will be variation in accepting the correct date of birth. To attribute partiality and nepotism is

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most unjust. We do not want to produce in the mind of anybody that some advices, some recommendations were listened to and injustice was done. Sir, these dates of births are finalised and finally fixed by the Cabinet when all the members of the Cabinet are present. Therefore, even if there is, what is called, influence brought to bear upon one Minister, there is the safeguard of other Ministers looking to the facts of the case and coming to correct judgment. That is what is being done. Those Hon'ble Members who made orations and preached fundamental principles, even if they sit in order to scrutinise these dates of births, they are bound to come to the same decision that this Government has come to. Sir, a particular case was mentioned by Sri P. R. Ramaiya. Here, the date of birth taken was not of the primary school or even that given in the Birth Register. When he entered the Maharaja's College, he was sufficiently intelligent and educated and it is that date of birth that is taken into consideration. It is not, as some Hon'ble Members say, that some date was mentioned in the Births and Deaths Register and we blindly took it. So far as I am aware, we have always adopted a date given by a particular officer when he knew the implication of it and that was either when he was in the College or in the Law College. Therefore, we have taken a decision which applies to the circumstances of the case and it is not blindly that we have taken the date mentioned in the Register of Births and Deaths. We are as much endowed with commonsense and knowledge of ruling conditions as anybody else. We have taken as our guide the date given in the College where he was expected to know, as I have already said, the implications of it. If there is discrepancy between the date given in the College and the date given in the Civil List, then we come to a decision which is more probable. Therefore, Sir, it is not as though Government wants to hold the sword of Damocles on anybody's head. If it comes to that, every Government is endowed with that power. Government

has always the power in the matter of giving increase and in the matter of giving punishment; it has got full powers; no more power is needed. Sir, time and again allegations have been made, *bona fides* are questioned, suspicions are entertained. It is not a very happy thing. After all, the Executive represents the will of the Legislature. By continuously crying down your representatives, ultimately you will be taking away that amount of prestige and it is not only the Executive that will suffer but it is the Legislature that will suffer. I challenge that any impartial man may show me that we have been influenced in any case by anybody in this. On the other hand I take credit that this Ministry has never listened to anybody in any case. That is also our strong point and that is also a weak point.

Sri Mulka GOVINDA REDDY (Chitaldrug).—You said you were influenced by somebody the other day.

Sri K. HANUMANTHAIYA.—And you know when you interfered what was the result. (*Laughter.*)

Mr. SPEAKER.—One of the accusations that a member was making was that in the case of one officer the date was accepted and in the case of some other it was not accepted.

Sri K. HANUMANTHAIYA.—That is exactly what I was denying. In order to justify such an accusation dates must be quoted or files must be looked into. To make a general allegation that we are showing partiality and favouritism to some is a general accusation which I cannot accept. I do not stand on the prestige of administrative bar and if anybody is interested, I lay open any file before him and let him come to any conclusion. I cannot state my *bona fides* in any stronger terms. Sir, the question now is, whether we should go on implementing the decision that has already been taken by Government four years ago or stop it. For the last four years several cases have been dealt with under this Government Order. Therefore, if we abrogate the Government Order today, it is likely to be said that some officers, for no fault of theirs, were punished and the rest of the officers whose dates of births

are still pending consideration go scot-free. That is one implication which we have to consider before we take a decision. Then, Sir, Sri Venkatappa said that there is a lot of delay and there should be, what is called, a definite period within which these things will have to be decided. Here, there is one administrative difficulty. When dates of birth were called for, all of them do not submit within the time prescribed. Some take a month, some take one year. Some officers, though four or five reminders have been issued, have not still sent the date of birth. I do not want to name; one departmental head is about to retire and though he is being asked for the last four years, he has not given the date of birth. In the absence of his explanation if we take a decision it is likely to be said that we condemned the man unjustly; if we wait, they take their own time. So, as and when materials are received we sit and take decision. If all the materials were available at a particular time, I for one would have suggested to my colleagues: 'Appoint some impartial officer; let him deal with it. We need not mix ourselves with this controversy.' The material that is required by this Government order is being sent often to Government and we take decisions often. If it is the wish of the House that the Ministers are born with, what is called, partiality, prejudice and they are no good for purposes of impartial administration, I for one have no objection for any other man to be appointed to scrutinise these dates of birth and give decision. I am not very anxious that the ministry should get all this odium without deserving it. I state that if any of you entertain a suspicion that we are partial and that we are being influenced by considerations other than public good and that an officer be appointed, I am prepared to appoint such an officer; let him scrutinise the dates of birth as and when they come and let him give his finding and we are prepared to accept that decision given by him without any demur.

Sri Mulka GOVINDA REDDY.—I want a clarification. The Chief Minister

stated that one officer did not give the information. What action has been taken against him?

Sri K. HANUMANTHAIYA.—I do not yield to the member.

Mr. SPEAKER.—He wants some clarification. You were just now saying that one officer who was about to be retired has not been able to supply the information though asked for for the last four years and he wants to know what disciplinary action has been taken against him.

Sri K. HANUMANTHAIYA.—Therefore we have issued a Government order recently on 23rd September 1953 which reads thus:—

“On further examination of the question it is directed that from the date of this order and onwards verification of the date of birth of an officer whether gazetted or non-gazetted may be done only once and that at the time of recruitment to Government service. A second verification at the time of promotion to gazetted rank is not necessary.”

It is only cases that are pending before Government subsequent to the order of March 1950 that are to be decided as and when they come up for decision before Government. This is the statement that I can make and I have no more to add. In view of the clarification I think.....

Mr. SPEAKER.—One member was saying that he was in doubt whether such an enquiry is being held in any other State in India. I understand it is being done in Travancore.

Sri K. HANUMANTHAIYA.—I am thankful to you, Sir. In Travancore-Cochin it is being done. But it is a hard fact that when the then Ministry took this decision in 1950 I am prepared to assert, they took it in the interests of the administration. There were so many people who had given false dates of birth so that scrutiny became almost general. Therefore they took a decision that instead of doing one scrutiny here and one scrutiny there and inviting what is

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called unfair criticisms, they should take a general decision and must review the dates of birth of all the officers. That was the decision they took and it was a right decision. And if that decision has to be abrogated now, I have no grievance either. It is only a question of some of the officers having been dealt with one way and the others being let out scot-free that is worrying me. Therefore it may not be possible for me now to stop the scrutiny that is being made, for there are some cases where materials are already before the Government and we have to take as time permits a decision. Before I close I want to state, if not for the satisfaction of some at least for the satisfaction of my soul, that no favouritism has ever weighed with me and no recommendation had any value with me.

(Sri A. Bheemappa Naik interrupted)

Mr. SPEAKER.—The mover of the cut motion was making much of a particular case of a person who is now ordered to be retired and he was quoting section 45 of the Financial Code. He was also pointing out that when once the date of birth was changed and properly attested, Government, having accepted it, have no right to change it. That was his point. That particular case stands on a different level of consideration.

Sri K. HANUMANTHAIYA.—This particular matter was taken to the High Court by way of writ petition and the High Court has already given a decision.

Sri A. BHEEMAPPA NAIK.—Then are we to take it that hereafter the date accepted at the time of recruitment shall stand finally?

Sri K. HANUMANTHAIYA.—Yes.

Mr. SPEAKER.—He has made a statement to that effect. What does the mover of the cut motion say now?

Sri P. R. RAMAIA.—I seek the leave of the House to withdraw the cut motion.

*The cut motion was, by leave,
withdrawn.*

Mr. SPEAKER.—There are only six minutes more. Sri Mulka Govinda Reddy, if you would like to move one of the cut motions you can do so. It is left to you.

Delay and inefficiency in the Secretariat.

Sri Mulka GOVINDA REDDY (Chitaldrug).—Sir, I beg to move:

“That the demand under the head ‘25. General Administration (except B, C & F)’ for Rs. 44,91,150 be reduced by Rs. 100 (to discuss the undue delay and inefficiency prevailing in the Secretariat).”

Sir, as we all know, after the dawn of independence the work in the Secretariat as well as in the Districts and Taluks has enormously increased. Unfortunately the Congress Government that came into power has belied the expectations of the public. They are not eager to solve this knotty problem. Representations from the public for land records, for acquisitions, for so many other things are pending in the Secretariat for months together, sometimes for years together. One of the reasons responsible for this is that the Ministers are pre-occupied with other work, they are pre-occupied with ceremonial functions and tours and are not evincing proper interest and therefore they are neglecting their duty. The other day an Hon'ble Member was saying that one particular acquisition paper was pending for 1½ years. There are so many others pending in the Secretariat for one year and sometimes for years together. All this delay is due to the inefficiency of the administration. The clerks that are working in the Secretariat are not given ample opportunities with regard to promotion and increments. I understand that there are some clerks in the first division who have served for more than 10 years and yet have not been confirmed. So much so this disappointment is responsible for delay to some extent. So also the interference in the portfolio of one Minister by another Minister, which amounts to influencing the Minister concerned, is